IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR. JUSTICE N.V. RAMANA

WRIT PETITION NO : 9595 of 2004

Between:
T.Eswara Naidu S/o Venkatadri Naidu,
Eguvapalam, H/o Enugondapalem,
Kalakada Mandal, Chittoor Dist.

..... PETITIONER

AND

1 The District Collector, Chittoor Dist
2 District Panchyat Officer, Chittoor, Chittoor Dist
3 The Divisional Panchayat Officer Madanapalle, Chittoor District
4 Enugondapalem Gram Panchayat, Kalakada mandal, Diguvapalyam, Kalakada Mandal, Chittor District Rep. by its Sarpanch
5 Y.Sunil Kumai S/o Y.Kumar Naidu, Sarpanch
Diguvapalyam, Enugondalpalem Gram Panchayat,
Kalakada Mandal, Chittoor Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus to direct the respondent No.1 to consider and dispose of Representation filed before the 1st Respondent within two weeks from today and consequently restrain the Respondent Nos. 4 and 5 from going ahead with construction of Gram Panchayat Building for officer purpose at Diguvapalyam, Enudondapalyam Village & Gram Panchayat, Kalakada Mandal, Chittoor district, the interest of Justice.

For the Petitioner: MR.B.SUDHAKAR REDDY & NEERAJA REDDY, Advocates

For the Respondent Nos.1 to 4: GP FOR PANCHAYAT RAJ & RURAL DEVLOPMENT.

The Court made the following :

ORDER:

By this writ petition the petitioner seeks a direction to the first respondent-District Collector, Chittoor District to consider and dispose of the representation dated 20-2-2004 submitted by the Upa Sarpanch and Members of Yenugondapalem Gram Panchayat, Kalakada Mandalam with respect to construction of Gram Panchayat building and consequently to restrain respondents 4 and 5 from going ahead with the said construction.

The petitioner is a resident of Yeguvapalem village. It is his case that Yeguvapalem village, which is a centrally located village for convenience of all the villages under Yenugondapalem Gram Panchayat, is a suitable village for construction of pucca building for Gram Panchayat office therein, but contrary to the advice of Mandal Officer and majority of the Gram panchayat members, the fourth respondent-Sarpanch, being the resident of Diguvapalem village, is trying to construct Gram Panchayat Bhavan in his village Diguvapalem, with the funds sanctioned by the Government therefor, and aggrieved thereby, the Upa Sarpanch and Members of the Yenugondapalem Gram Panchayat submitted a representation to the first Respondent-District Collect to stop the said construction, but no action has been taken so far in the matter. Assailing the impugned action of the first respondent, the present writ petition is filed.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj & Rural Devlopment and in view of

the fact that the representation submitted by the Upa Sarpanch and Members of Yenugondapalem Gram Panchayat is pending consideration with the first respondent, without going into merits of the case, I deem it appropriate to dispose of the writ petition directing the first respondent to consider and dispose of the representation submitted by the Upa Sarpanch and Members of Yenugondapalem Gram Panchayat, dated 20-2-2004, expeditiously within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, Chittoor Dist
2. District Panchyat Officer, Chittoor, Chittoor Dist
3. The Divisional Panchayat Officer Madanapalle, Chittoor District
4. The Sarpanch, Enugondapalem Gram Panchayat, Diguvapalyam, Kalakada mandal, Chittor District
5. Two CCs. To Govt. Pleader for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad (OUT)
6. Two CD copies
7. One Spare copy